

**IN THE FRANKLIN COUNTY MUNICIPAL COURT
ENVIRONMENTAL DIVISION
FRANKLIN COUNTY, OHIO**

STATE EX. REL KLEIN,

Relator-Plaintiff,

-vs-

PAXE LATITUDE LP, et al.,

Respondents-Defendants,

-and-

**LUMENT COMMERCIAL
MORTGAGE TRUST,
as successor in interest to OREC
Structured Finance Co., LLC,**

Interested Party-Defendant.

Case No. 2022 EVH 060061

Judge Stephanie Mingo

AGREED JUDGMENT ENTRY

THIS CAUSE is before the Court on the Motions for Contempt filed by Relator-Plaintiff State ex rel. Zach Klein ("Plaintiff") on December 27, 2022, and by Cross-Claimants Tenant Defendants ("Tenant Defendants") on January 3, 2023, (collectively "Contempt Motions") against Respondents-Defendants Paxe Latitude LP ("Paxe") and Integra Affordable Management, LLC ("Integra," and, collectively with Paxe, "Defendants"). Plaintiff, Defendants, Cross Claimants, and Interested Party-Defendant Lument Commercial Mortgage Trust, as successor in interest to Interested Party-Defendant OREC Structured Finance Co., LLC (collectively, "Lument") by and through counsel, have resolved the Contempt Motions on the terms set forth in this Agreed Judgement Entry. This Agreed Judgement Entry supersedes all previous Orders of this Court and serves as the operative Order in this litigation.

Plaintiff, Defendants, Lument, and Tenant Defendants (collectively, the "Parties") stipulate, and the Court **FINDS**, as follows:

- A. The subject property is located at 521, 525 and 529 Sawyer Boulevard, Columbus, Ohio, Parcel Number 010-288512 ("the Property").
- B. On May 24, 2022, Plaintiff and Defendants stipulated to, and this Court issued, a Final Agreed Entry ("May Order") in this matter.
- C. On Sept 12, 2022, Plaintiff filed a Motion for Contempt against Paxe arising from alleged violations of the May Order.
- D. On October 21, 2022, Lument filed an action for foreclosure and other relief against Paxe and Boruch Drillman ("Drillman") in the Court of Common Pleas, Franklin County, Ohio, Case No. 22 CV 7387 ("the Foreclosure Action").
- E. On November 8, 2022, Plaintiff and Defendants stipulated to, and this Court issued, an Agreed Entry in this matter ("First Agreed Entry").
- F. Following a status conference before this Court on November 18, 2022, the Court entered a Judgment Entry ("Judgment Entry").
- G. Following a status conference before this Court on November 30, 2022, the Court entered a Court Entry ("Court Entry").
- H. The Parties agree that it is in their mutual interest to resolve this case.
- I. The Parties agree that this Agreed Judgement Entry supersedes the First Agreed Entry, Judgment Entry, Court Entry, and all previous Orders of this Court and serves as the operative Order in this litigation.

The Parties therefore stipulate, and the Court **ORDERS** as follows:

1. **Sale of Property.** Paxe agrees to sell the Property pursuant to the following timeline:
 - a. **Purchase Contract.** On or before January 6, 2023, Paxe shall enter into a Purchase and Sale Agreement (“PSA”) for the sale of the Property to an unrelated party (the “Buyer”), on terms and price reasonably acceptable to Lument and upon terms that conform with this Agreed Entry.
 - b. **Nonrefundable Deposit.** On or before January 6, 2023, Buyer shall deposit in a Repair Reserve Account held with and administered by Lument \$500,000.00 which is immediately nonrefundable pursuant to the PSA. Subject to Section 1.c., if Buyer defaults, the Repair Reserve Account shall be administered and dispersed in accordance with the PSA and the Lument loan documents.
 - c. **Use of Deposit Funds.** Lument shall make up to \$150,000.00 in disbursements to Paxe from the Nonrefundable Deposit to pay costs and expenses incurred and/or billed for work at the Property. Paxe shall submit to Lument a written disbursement request and Lument shall disperse funds to the payee within five business days of receipt with written confirmation of payment to Paxe. If the \$150,000.00 is exhausted, Lument may return to this Court to request an order requiring Paxe to deposit additional funds.
 - d. **Closing Date.** On or before January 31, 2023, Paxe shall close the sale of the Property to Buyer (“the Closing”).
 - e. **Closing Extension.** The Closing may be extended until February 10, 2023, under the terms of the PSA at the request of Buyer.

2. **Continuation of Utilities.** Paxe shall enter into written modification agreements extending the payment deadline in the written payment agreements entered into with the Utility Providers referenced below at (a)-(d) (the "Utility Providers") extending the payment deadline for payment in full to the new Closing date from the proceeds of the sale of the Property subject to all prior liens.

- a. American Electric Power
- b. Columbus Department of Public Utilities
- c. Columbia Gas
- d. Spectrum Telephone.

Paxe shall maintain such utilities in place through the Closing.

3. **Repair of Heat, Hot Water and Elevators.** On or before January 29, 2023, Paxe shall complete repairs and/or the replacements necessary to fully restore heat, hot water and elevator service to the Property.
4. **Compliance with Emergency Orders and Orders to Correct.** No re-occupying of the Property shall occur until Paxe has complied with the Emergency Orders issued by Code Enforcement and the Orders to Correct issued by Columbus Fire Department. Copies of said orders are attached as exhibits A through G. Paxe shall obtain all necessary permits for work completed in order to comply with said orders.
5. **Immediate Payment to the City.** On or before January 10, 2023, Paxe shall pay to the City Fifty-Thousand Dollars (\$50,000.00) to reimburse it for any and all overtime costs incurred in responding to the Property on and after December 25, 2022.
6. **Reimbursement for Temporary Housing.** Paxe shall reimburse all costs incurred for temporarily housing displaced tenants of the Property from December 25, 2022, through

the termination of Paxe's ownership of the Property. Said costs shall include hotel room rental, bus passes, food delivery and food service. The Parties agree that said reimbursement amount shall not exceed Three Hundred Forty Thousand Dollars (\$340,000.00) as of the dates of closing stated in Paragraph 1. In the event the Closing does not occur on the dates of closing stated in Paragraph 1, said limitation shall not apply.

7. Access to Property. Defendants shall control access to the Property as follows:

- a. Paxe shall maintain one or more private security guards at the Property at all times.
- b. Paxe shall maintain a dedicated fire watch, performed continuously and logged hourly, at any and all times that persons are present at the Property.
- c. Except for persons described in Paragraphs 7.d., 7.e. and 10 of this order, Paxe shall not grant access to the Property to any persons unless accompanied by a Code Enforcement Officer.
- d. Paxe shall provide Code Enforcement Assistant Administrator Edgar Dillon with the names of any and all maintenance personnel and contractors at the Property at all times.
- e. The Court's Environmental Specialists shall have full access to conduct inspections at the Property.

8. Tenants' Right to Terminate Existing Leases. Paxe agrees that any tenant displaced as a result of the Vacate Order will be provided the right to terminate their Lease Agreement and surrender his/her apartment with no penalty. Tenants are not waiving any other claims with respect to this incident.

9. **Abatement of January Rent.** No tenant shall be required to pay January rent. If a tenant chooses to reoccupy the Property in January, rent shall be prorated accordingly.
10. **Lument's Right to Inspect.** Paxe grants Lument the right to inspect the Property upon reasonable notice to Paxe's representatives or its Counsel.
11. **Abatement of Litigation and Stay of Foreclosure Action.** Lument, Paxe and Drillman agree that the Foreclosure Action shall be stayed pending further Court Order and that Paxe and Drillman shall not be required to take any action in the Foreclosure Action including, but not limited to, filing an Answer or other responsive pleading, until the earlier of: (a) fourteen (14) days after the appointment of a receiver in the Foreclosure Action, or (b) fourteen (14) days after the Closing. The stay of the Foreclosure Action shall be automatically lifted upon the earlier of: (a) an Order by the Environmental Court that Paxe and/or Integra have violated the terms of this Agreed Order; or (b) fourteen (14) days after the Closing.
12. **Automatic Appointment of Receiver in Foreclosure.** In the event the Environmental Court determines that Defendants violated this Order, Paxe, Drillman and Plaintiff hereby stipulate that Lument shall be automatically entitled to appointment of a Receiver of Lument's choice for the Property in the Foreclosure Action. Defendants agree to an expedited hearing before the Environmental Court to determine whether a violation of this Agreed Entry has occurred. The Receiver shall have each and every power and authority conferred upon receivers by the laws of Ohio including, but not limited to, R.C. 2735.01, *et seq.*, Civ.R. 66, and Franklin Co. Common Pleas Court Loc.R. 66.

13. **Controlling Nature of this Order.** This Agreed Entry is intended to supersede all prior Agreed Entries or Orders of this Court. This Order serves as the operative Order in this litigation.
14. **Continuing Jurisdiction.** This Court shall retain jurisdiction over this action for the purpose of enforcing or modifying this Order.
15. Except as expressly and specifically stated herein, nothing contained herein has any effect on the Foreclosure Action or on Lument's rights against Paxe and Drillman under the "Loan Documents" (as such term is defined in the Foreclosure Action).
16. **Compliance Hearing.** This matter shall be set for a **Compliance Hearing on February 13, 2023, at 10:00 a.m.** to determine compliance with this Order. Said Compliance Hearing may be vacated upon prior notice to the Court by all Parties that no violations of the Order have occurred. The Status Conference currently scheduled for February 13, 2023 is hereby vacated.

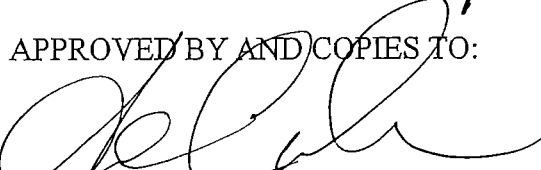
This is a final order. Pursuant to Ohio Civil Rule 58, the Clerk is directed to notify the parties as they appear below.

SO ORDERED,


JUDGE STEPHANIE MINGO


1/3/23
DATE

APPROVED BY AND COPIES TO:


Stephen C. Dunbar (0076730)
Louisa Edzie (0100629)
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Columbus, Ohio 43215

Phone: (614) 645-6914
scdunbar@columbus.gov
laedzie@columbus.gov

Attorneys for Relator-Plaintiff Columbus Attorney Zach Klein

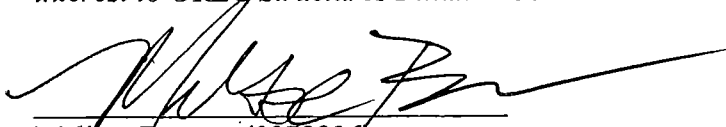

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and Integra Affordable Management, LLC*


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mbenson@columbuslegalaid.org

*Attorneys for Defendants Jonathan Adkinson, Jordan Adkinson, Savon Anderson, Edwin Daniel,
Ara Lee Davis, Douglas Fessler, Raymond Green, Alisha Handeon, Hilda Hathaway, Daisha
Harper and James Thornton*

THE CITY OF
COLUMBUS
CODE ENFORCEMENT

Date of Service/Posting _____

Order Number: 22441-01179
Parcel Number: 010288512

PAXE LATITUDE LP
139 OCEAN AVE
LAKEWOOD, NJ 08701

EMERGENCY ORDER

Re: 529 SAWYER BLVD UNIT: 210

An inspection of the above referenced site on **December 23, 2022** reveals that an emergency exists which requires immediate action to protect the public health and safety.

SEE ATTACHED PAGE(S) FOR LIST OF VIOLATIONS

You are hereby notified of the existence of this emergency and ordered to take immediate action to abate the emergency within 1 day(s) from service of this order. Pursuant to Section 4509.06, should abatement not occur, the Code Enforcement Officer may cause the abatement, including building demolition, charging the costs against the land or owner.

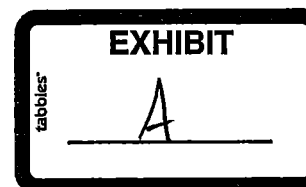
Note: Failure to comply with this notice is a Misdemeanor of the First Degree and may be punishable by a \$1000 fine and 180 days imprisonment.

To verify any permit requirements for the work being completed, please check with the Building and Zoning Services Department at 614-645-7433.

To exercise your right of appeal, a written petition must be filed in this office stating the specific factual reasons for an appeal within fifteen (15) calendar days after service of this notice. Failure to provide specific factual reasons for an appeal or not filing a written petition in this office within the given time frame of this notice may cause the Property Maintenance Appeals Board to not hear the appeal. Appeal hearings requested prior to the time given to vacate a premise must be heard before enforcement of the vacate order. Other cited emergency conditions must be complied immediately, even if an appeal is requested/scheduled.

Remit the written appeal petition to the City of Columbus, Department of Building and Zoning Services/Code Enforcement, 111 North Front St, Columbus, Ohio 43215.

Robert Smith
Code Enforcement Officer
Phone: 6146458219
RMSmith3@Columbus.gov
111 North Front St
Columbus, Ohio 43215



ITEM#	CODE SECTION	COMMENTS
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Housing: All (Emergency)

1	705.03	Sanitary maintenance of premises
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Section A-E

-There is standing water in the unit and surrounding area that is the responsibility of the owner/management to clean, sanitize and figure out where the water/leak is coming from.

Take necessary steps to correct.

(A)No owner or person having charge shall occupy or let to another a dwelling, dwelling unit, multiple dwelling, business building or premises unless it and the premises are clean, sanitary, fit for human occupancy and comply with all applicable laws and regulations of the State of Ohio and the City of Columbus.

(B)Every owner or person having charge of a business building or a dwelling containing two (2) or more dwelling units shall maintain in a clean and sanitary condition the shared, common or public areas of the business building, dwelling, and premise thereof.

(C)Every occupant of a dwelling, dwelling unit, multiple dwelling, business building or premises shall maintain in a clean and sanitary condition that part or those parts of the dwelling, dwelling unit, multiple dwelling, business building or premises thereof that the occupant occupies or controls.

(D)The owner or person having charge of any dwelling, dwelling unit, multiple dwelling, business building or premises shall not allow any sewer, water closet or drain to leak, to be out of repair, to be inoperable, or to remain clogged or stopped; nor allow sewage or waste or stagnant water or other fluid to remain in any building or upon any land. Every plumbing fixture and all water and waste pipes shall be installed and maintained in good sanitary and safe working condition.

THE CITY OF
COLUMBUS
CODE ENFORCEMENT

Date of Service/Posting _____

Order Number: 22441-01164
Parcel Number: 010288512

PAXE LATITUDE LP
139 OCEAN AVE
LAKEWOOD, NJ 08701

EMERGENCY ORDER

Re: 529 SAWYER BLVD UNIT: 213

An inspection of the above referenced site on **December 23, 2022** reveals that an emergency exists which requires immediate action to protect the public health and safety.

SEE ATTACHED PAGE(S) FOR LIST OF VIOLATIONS

You are hereby notified of the existence of this emergency and ordered to take immediate action to abate the emergency within 1 day(s) from service of this order. Pursuant to Section 4509.06, should abatement not occur, the Code Enforcement Officer may cause the abatement, including building demolition, charging the costs against the land or owner.

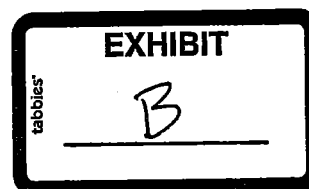
Note: Failure to comply with this notice is a Misdemeanor of the First Degree and may be punishable by a \$1000 fine and 180 days imprisonment.

To verify any permit requirements for the work being completed, please check with the Building and Zoning Services Department at 614-645-7433.

To exercise your right of appeal, a written petition must be filed in this office stating the specific factual reasons for an appeal within fifteen (15) calendar days after service of this notice. Failure to provide specific factual reasons for an appeal or not filing a written petition in this office within the given time frame of this notice may cause the Property Maintenance Appeals Board to not hear the appeal. Appeal hearings requested prior to the time given to vacate a premise must be heard before enforcement of the vacate order. Other cited emergency conditions must be complied immediately, even if an appeal is requested/scheduled.

Remit the written appeal petition to the City of Columbus, Department of Building and Zoning Services/Code Enforcement, 111 North Front St, Columbus, Ohio 43215.

Fallon Geer
Code Enforcement Officer
Phone: 614-645-5867
FSGeer@columbus.gov
111 North Front St
Columbus, Ohio 43215



ITEM#	CODE SECTION	COMMENTS
<u>Housing: All (Emergency)</u>		
1	4509.06 Emergency orders	>Standing water present on floor throughout unit. (705.03) >Heating facilities are not functioning properly and unable to maintain required 70 degrees within unit. (4523.05)

THE CITY OF
COLUMBUS
CODE ENFORCEMENT

Date of Service/Posting _____

Order Number: 22441-01182

Parcel Number: 010288512

PAXE LATITUDE LP
c/o RIVERSIDE FILINGS LLC, AGENT
4568 MAYFIELD RD #204
CLEVELAND, OH 44121

EMERGENCY ORDER

Re: 521 - 529 SAWYER BLVD

An inspection of the above referenced site on **December 25, 2022** reveals that an emergency exists which requires immediate action to protect the public health and safety.

SEE ATTACHED PAGE(S) FOR LIST OF VIOLATIONS

You are hereby notified of the existence of this emergency and ordered to take immediate action to abate the emergency within 0 day(s) from service of this order. Pursuant to Section 4509.06, should abatement not occur, the Code Enforcement Officer may cause the abatement, including building demolition, charging the costs against the land or owner.

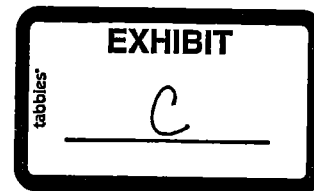
Note: Failure to comply with this notice is a Misdemeanor of the First Degree and may be punishable by a \$1000 fine and 180 days imprisonment.

To verify any permit requirements for the work being completed, please check with the Building and Zoning Services Department at 614-645-7433.

To exercise your right of appeal, a written petition must be filed in this office stating the specific factual reasons for an appeal within fifteen (15) calendar days after service of this notice. Failure to provide specific factual reasons for an appeal or not filing a written petition in this office within the given time frame of this notice may cause the Property Maintenance Appeals Board to not hear the appeal. Appeal hearings requested prior to the time given to vacate a premise must be heard before enforcement of the vacate order. Other cited emergency conditions must be complied immediately, even if an appeal is requested/scheduled.

Remit the written appeal petition to the City of Columbus, Department of Building and Zoning Services/Code Enforcement, 111 North Front St, Columbus, Ohio 43215.

Matthew Mercer
Code Enforcement Officer
Phone: 614-645-5693
MTMercer@columbus.gov
111 North Front St
Columbus, Ohio 43215



ITEM#	CODE SECTION	COMMENTS
<u>Housing: All (Emergency)</u>		
1	4509.06 Emergency orders	<p>The following emergency violations were observed on this premises, including all three buildings at 521, 525, and 529 Sawyer Blvd:</p> <p>>>> (CC 4525.06) These buildings, and all dwelling units therein, observed to lack properly connected water utility.</p> <p>>>> (CC 4521.02) The dwelling units within these building observed to lack functioning bathrooms because of lack of water utility.</p> <p>>>> (CC 4523.05) One or more of these buildings, and the dwelling units therein, observed to lack sufficient heat.</p> <p>>>> (CC 4525.05) Elevators in these buildings observed to be non functional, including both elevators in the 521 Sawyer Blvd building.</p> <p>>>> (CC 4525.09) These buildings observed to lack properly functioning fire suppression systems.</p> <p>>>> (CC 4525.07) These buildings observed to display standing water in various common areas.</p>

BUREAU OF FIRE PREVENTION
3639 PARSONS AVENUE
COLUMBUS, OHIO 43207
(614)-645-7641

THE CITY OF
COLUMBUS
DIVISION OF FIRE

ORDER FOR CORRECTION

12/29/2022

Facility ID: 010100

ATTN BOB DAVIS
PAXE LATITUDE
MASTER
521 SAWYER BLVD
COLUMBUS OH 43203

Site Address: PAXE LATITUDE 521 SAWYER BLVD /MASTER/COLUMBUS, OH 43203

A(n) complaint inspection of your facility was completed by our office on or around 12/29/2022 revealed the violations listed below.

VIOLATIONS: You are hereby notified that an inspection of your premises has disclosed the following violations of the specified city or state fire code. If you fail to comply with this notice before the reinspection date listed you may be liable for the penalties provided by law for such violations.

Violation Code

A re-inspection for compliance will be completed on or after Friday December 30, 2022.

#1 109.1.3 Serious hazards.

"If the state fire marshal, assistant state fire marshal, or certified fire safety inspector, upon examination or inspection, finds either of the following: (i) a structure, premise or location to be a "serious hazard" as that term is defined in this code; or (ii) the conditions at such structure, premise or location constitute a violation of, or require the application of paragraphs (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code to such places; (iii) the state fire marshal, assistant state fire marshal, or certified fire safety inspector is authorized to verbally order or order in writing, on a form approved by the state fire marshal, the structure, premise or location to comply with the fire code, including as described in paragraphs (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code, or otherwise abate the conditions causing the serious hazard"

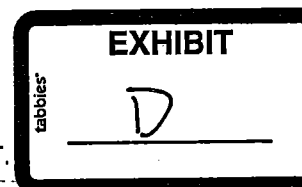
12/29/2022 11:35:37 4069

521 SAWYER BLVD IS ORDERED TO BE EVACUATED. CONDITION OF BUILDING IS DEEMED UNSAFE.

SUPPRESSION SYSTEM IS DISABLED DO TO FROZEN AND BROKEN WATER PIPES. HEAT TO THE BUILDING IS NOT WORKING.

FIRE ALARM IS NOT CONFIRMED TO BE WORKING CORRECTLY.

WATER LEAKING FROM BROKEN PIPES INTO ELECTRICAL HIGH VOLTAGE ELECTRICAL EQUIPMENT.



#2 907.1 General

"This paragraph covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of paragraph (G)(2)(907.2) of this rule are applicable to new buildings and structures. The requirements for fire alarm and detection systems in new buildings contained in this rule are subject to and do not supersede or otherwise conflict with the requirements of paragraph (D)(2)(a)(104.2.1) of rule 1301:7-7-01 of the Administrative Code. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the fire alarm and detection system shall be approved by the fire code official prior to system installation. The requirements of paragraph (G)(9)(907.9) of this rule are applicable to existing buildings and structures"

12/29/2022 11:36:15 4069

FIRE PREVENTION BUREAU HAS ESTABLISHED A FIRE WATCH MANNED BY COLUMBUS FIRE PERSONEL. FIRE WATCH WILL BE MAINTAINED UNTIL EVACUATION OF BUILDING IS COMPLETED UNDER THE SERIOUS HAZARD ORDER 109.1.3

Signature on File

Fire Inspector Dorsey, Michael I - D069
State of Ohio CERT# 93057

Signature on File

Bob Davis
Responsible Party

BUREAU OF FIRE PREVENTION
3639 PARSONS AVENUE
COLUMBUS, OHIO 43207
(614)-645-7641

THE CITY OF
COLUMBUS
DIVISION OF FIRE

ORDER FOR CORRECTION

12/29/2022

Facility ID: 006494

ATTN BEN DYMAN
PAXE LATITUDE
521 SAWYER BLVD
COLUMBUS

OH 43203

Site Address: PAXE LATITUDE 521 SAWYER BLVD /COLUMBUS, OH 43203

A(n) complaint inspection of your facility was completed by our office on or around 12/29/2022 revealed the violations listed below.

VIOLATIONS: You are hereby notified that an inspection of your premises has disclosed the following violations of the specified city or state fire code. If you fail to comply with this notice before the reinspection date listed you may be liable for the penalties provided by law for such violations.

Violation Code

A re-inspection for compliance will be completed on or after Friday December 30, 2022.

#1 109.1.3 Serious hazards.

"If the state fire marshal, assistant state fire marshal, or certified fire safety inspector, upon examination or inspection, finds either of the following: (i) a structure, premise or location to be a "serious hazard" as that term is defined in this code; or (ii) the conditions at such structure, premise or location constitute a violation of, or require the application of paragraphs (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code to such places; (iii) the state fire marshal, assistant state fire marshal, or certified fire safety inspector is authorized to verbally order or order in writing, on a form approved by the state fire marshal, the structure, premise or location to comply with the fire code, including as described in paragraphs (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code, or otherwise abate the conditions causing the serious hazard"

521 SAWYER BLVD IS ORDERED TO BE EVACUATED. CONDITION OF BUILDING IS DEEMED UNSAFE.

SUPPRESSION SYSTEM IS DISABLED DO TO FROZEN AND BROKEN WATER PIPES. HEAT TO THE BUILDING IS NOT WORKING.

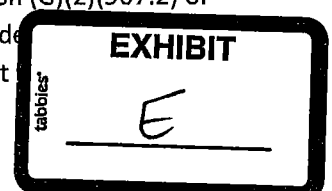
FIRE ALARM IS NOT CONFIRMED TO BE WORKING CORRECTLY.

WATER LEAKING FROM BROKEN PIPES INTO ELECTRICAL HIGH VOLTAGE ELECTRICAL EQUIPMENT.

#2 907.1 General

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Printed on: 12/29/2022 11:55



requirements of paragraph (D)(2)(a)(104.2.1) of rule 1301:7-7-01 of the Administrative Code. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the fire alarm and detection system shall be approved by the fire code official prior to system installation. The requirements of paragraph (G)(9)(907.9) of this rule are applicable to existing buildings and structures"

FIRE PREVENTION BUREAU HAS ESTABLISHED A FIRE WATCH MANNED BY COLUMBUS FIRE PERSONEL. FIRE WATCH WILL BE MAINTAINED UNTIL EVACUATION OF BUILDING IS COMPLETED UNDER THE SERIOUS HAZARD ORDER 109.1.3

Signature on File

Fire Inspector Dorsey, Michael I - D069
State of Ohio CERT# 93057

Signature on File

Ben Dyman
Responsible Party

BUREAU OF FIRE PREVENTION
3639 PARSONS AVENUE
COLUMBUS, OHIO 43207
(614)-645-7641

THE CITY OF
COLUMBUS
DIVISION OF FIRE

ORDER FOR CORRECTION

12/29/2022

Facility ID: 180964

ATTN BEN DYNAN
LATITUDE FIVE25
OFFICE
525 SAWYER BLVD
COLUMBUS

OH 43203

Site Address: LATITUDE FIVE25 525 SAWYER BLVD /OFFICE/COLUMBUS, OH 43203

A(n) complaint inspection of your facility was completed by our office on or around 12/29/2022 revealed the violations listed below.

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Violation Code

A re-inspection for compliance will be completed on or after Friday December 30, 2022.

#1 901.7 Systems out of service

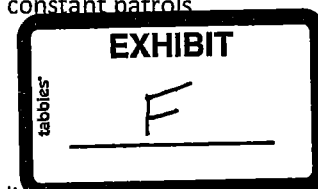
Recheck violation record auto-generated from inspection on 12/23/2022.

"Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one approved means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires"

12/27/2022 08:31:41 3105

Received call from Tiara Ross, City Attorneys Office, that Sawyer Towers was experiencing flooding as well as no heat in several units. When I arrived, E-Pro was on scene working on the system. The flooding was caused by 2 broken sprinkler heads on the second floor of 529. There was also flooding in the pump room caused by an open drain. We also had several pull stations on multiple floors activated. The sprinkler heads were replaced, drain was closed and pull stations reset. After the corrections were made, the system still would not reset. The E-Pro worker contacted his office and requested another technician. Approx. 1-2 hours later the second technician arrived. He was able to reset the panel by shutting it down and restarting the system. He then checked the pump room and verified everything was in working condition. When we left the system was operating with 3 trouble codes including 2 smoke heads and something in the penthouse that we were unable to access.

FIRE PREVENTION BUREAU HAS ESTABLISHED A FIRE WATCH MANNED BY COLUMBUS FIRE PERSONEL. FIRE WATCH WILL BE MAINTAINED UNTIL EVACUATION OF BUILDING IS COMPLETED UNDER THE SERIOUS HAZARD ORDER 109.1.3



#2 109.1.3 Serious hazards.

"If the state fire marshal, assistant state fire marshal, or certified fire safety inspector, upon examination or inspection, finds either of the following: (i) a structure, premise or location to be a "serious hazard" as that term is defined in this code; or (ii) the conditions at such structure, premise or location constitute a violation of, or require the application of paragraphs (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code to such places; (iii) the state fire marshal, assistant state fire marshal, or certified fire safety inspector is authorized to verbally order or order in writing, on a form approved by the state fire marshal, the structure, premise or location to comply with the fire code, including as described in paragraphs (G)(6)(107.6) of this rule, (A)(7)(901.7) of rule 1301:7-7-09 of the Administrative Code or (A)(2)(1001.2) of rule 1301:7-7-10 of the Administrative Code, or otherwise abate the conditions causing the serious hazard"

525 SAWYER BLVD IS ORDERED TO BE EVACUATED. CONDITION OF BUILDING IS DEEMED UNSAFE.

SUPPRESSION SYSTEM IS DISABLED DO TO FROZEN AND BROKEN WATER PIPES. HEAT TO THE BUILDING IS NOT WORKING.

FIRE ALARM IS NOT CONFIRMED TO BE WORKING CORRECTLY.

WATER LEAKING FROM BROKEN PIPES INTO ELECTRICAL HIGH VOLTAGE ELECTRICAL EQUIPMENT.

Signature on File

Fire Inspector Dorsey, Michael I - D069
State of Ohio CERT# 93057

Signature on File

Ben Dynan
Responsible Party

BUREAU OF FIRE PREVENTION
3639 PARSONS AVENUE
COLUMBUS, OHIO 43207
(614)-645-7641

THE CITY OF
COLUMBUS
DIVISION OF FIRE

ORDER FOR CORRECTION

12/29/2022

Facility ID: 017105

ATTN BOB DAVIS
PAXE LATITUDE
529 SAWYER BLVD
COLUMBUS

OH 43203

Site Address: PAXE LATITUDE 529 SAWYER BLVD /COLUMBUS, OH 43203

A(n) complaint inspection of your facility was completed by our office on or around 12/29/2022 revealed the violations listed below.

VIOLATIONS: You are hereby notified that an inspection of your premises has disclosed the following violations of the specified city or state fire code. If you fail to comply with this notice before the reinspection date listed you may be liable for the penalties provided by law for such violations.

Violation Code

A re-inspection for compliance will be completed on or after Friday December 30, 2022.

#1 907.1 General

"This paragraph covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of paragraph (G)(2)(907.2) of this rule are applicable to new buildings and structures. The requirements for fire alarm and detection systems in new buildings contained in this rule are subject to and do not supersede or otherwise conflict with the requirements of paragraph (D)(2)(a)(104.2.1) of rule 1301:7-7-01 of the Administrative Code. At locations or in structures not regulated by the building code as listed in rule 1301:7-7-80 of the Administrative Code, the fire alarm and detection system shall be approved by the fire code official prior to system installation. The requirements of paragraph (G)(9)(907.9) of this rule are applicable to existing buildings and structures"

12/29/2022 11:40:05 4069

FIRE PREVENTION BUREAU HAS ESTABLISHED A FIRE WATCH MANNED BY COLUMBUS FIRE PERSONEL. FIRE WATCH WILL BE MAINTAINED UNTIL EVACUATION OF BUILDING IS COMPLETED UNDER THE SERIOUS HAZARD ORDER 109.1.3

#2 109.1.3 Serious hazards.

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EXHIBIT

G

conditions causing the serious hazard"

12/29/2022 11:40:55 4069

529 SAWYER BLVD IS ORDERED TO BE EVACUATED. CONDITION OF BUILDING IS DEEMED UNSAFE.

SUPPRESSION SYSTEM IS DISABLED DO TO FROZEN AND BROKEN WATER PIPES. HEAT TO THE BUILDING IS NOT WORKING.

FIRE ALARM IS NOT CONFIRMED TO BE WORKING CORRECTLY.

WATER LEAKING FROM BROKEN PIPES INTO ELECTRICAL HIGH VOLTAGE ELECTRICAL EQUIPMENT.

Signature on File

Fire Inspector Dorsey, Michael I - D069
State of Ohio CERT# 93057

Signature on File

Bob Davis
Responsible Party